

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JACOB GRAVES,

Plaintiff,

VS.

SHELBY COUNTY JAIL,

Defendant.

No. 2:22-cv-02462-SHM-tmp

ORDER DISMISSING CASE WITHOUT PREJUDICE

On July 15, 2022, Plaintiff Jacob Graves, who was then incarcerated at the Shelby County Criminal Justice Center in Memphis, Tennessee, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, and a motion to proceed *in forma pauperis*. (ECF Nos. 1 & 2.) The Court issued an order on September 23, 2022, granting leave to proceed *in forma pauperis* and assessing the civil filing fee pursuant to 28 U.S.C. §§ 1915(a)–(b). (ECF No. 6.) The order directed Plaintiff to notify the Court immediately of any change of address and warned that failure to do so could result in dismissal of this action without further notice. (*Id.* at PageID 18.)

On October 4, 2022, the order granting Plaintiff leave to proceed *in forma pauperis* (ECF No. 6) was returned as undeliverable. (ECF No. 7.) The document included a note stating that Plaintiff was released on September 7, 2022. (*Id.* at PageID 19.) Other mail sent to Plaintiff was returned on October 12, 2022. (ECF No. 8.)

Plaintiff has not submitted a change of address. The most basic responsibility of a litigant is to keep the Court advised of his whereabouts. Plaintiff was directed to do so in the October 4, 2022 order but has failed to notify the Court of his current location. Therefore, it appears Plaintiff

has abandoned this action. Accordingly, this case is hereby DISMISSED without prejudice, pursuant to Federal Rule of Civil Procedure 41(b), for failure to comply with the Court's order.

It is also CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a), that any appeal in this matter by Plaintiff would not be taken in good faith. Leave to proceed on appeal *in forma pauperis* is, therefore, DENIED.

IT IS SO ORDERED this 16th day of December, 2022.

/s/ Samuel H. Mays, Jr.

SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE